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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/662,683	09/15/2003	Melvin E. Wolfe JR.	28076/SV1094	9788

4743

7590

12/18/2008

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EXAMINER

ART UNIT

PAPER NUMBER

DATE MAILED: 12/18/2008

Please find below and/or attached an Office communication concerning this application or proceeding.

DEFECTIVE APPEAL BRIEF

1. The Brief submitted by Applicants on 12/12/07 is defective under 37 CFR 41.37 for at least the following reasons:

- Claim 11 in the Brief, filed on 12/12/07, is amended without a proper status of such amendment.
- The brief does not contain a correct copy of the appealed claim 11, filed on 10/30/06 with respect to the Final Office Action.

Appellants are required to comply with provisions of 37 CFR 41.37(c). To avoid dismissal of the appeal, Appellants must comply with the provisions of 37 CFR 41.37(c) within ONE MONTH or THIRTY DAYS, whichever is longer, from the mailing of this communication. Extensions of time may be granted under 37 CFR 1.136.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tim Phan whose telephone number is 571-272-4568. The examiner can normally be reached on M & Tu, 6AM - 2PM, and W & Th, 9AM – 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bryant can be reached on 571-272-4526. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications

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may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Phan Thiem/

Primary Examiner, Art Unit 3729

December 2, 2008